



CHICAGO
REGIONAL OFFICE

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
175 W. JACKSON BOULEVARD, SUITE 1450
CHICAGO, IL 60604

February 27, 2023

Via ECF

Honorable Lorna G. Schofield
United States District Judge
United States District Court
for the Southern District of New York
40 Foley Square
New York, New York 10007

Application GRANTED. The initial pretrial conference scheduled for March 8, 2023, is adjourned to **March 29, 2023, at 4:20 P.M.** The deadline for the parties to file the proposed civil case management plan and scheduling order is extended to **March 22, 2023, at 12:00 P.M.**

Dated: February 28, 2023
New York, New York

Re: SEC v. Eisenberg,
No. 1:23-cv-503-LGS (S.D.N.Y.)

LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Dear Judge Schofield:

Pursuant to the Court's Individual Rule I(B)(2), Plaintiff United States Securities and Exchange Commission ("SEC") writes to request a two-week adjournment of (a) the Initial Pretrial Conference scheduled for March 8, 2023, at 4:20 p.m. EST; and (b) the March 1, 2023, noon, deadline to file on ECF a joint letter addressing the topics in the Court's February 15, 2023 Order and a joint Proposed Civil Case Management Plan and Scheduling Order. This is the SEC's first request for an extension of time.

Defendant Avraham Eisenberg is currently incarcerated at the Essex County Correctional Facility in Newark, New Jersey. The SEC served him with the Complaint in this matter on February 13, 2023. His Answer is due on March 6, 2023. While he is represented by counsel in *United States v. Eisenberg*, 1:23-cr-00010-RMB (S.D.N.Y.) (Berman, J.), and *Mango Labs, LLC v. Eisenberg*, 1:23-cv-00665-LJL (S.D.N.Y.) (Liman, J.), Eisenberg does not have counsel in this matter or *CFTC v. Eisenberg*, 1:23-cv-00173-LGS (S.D.N.Y.) (Schofield, J.).

On February 27, 2023, at 2:30 p.m. EST, Plaintiff's counsel spoke to Mr. Eisenberg by telephone at the jail concerning the Court's February 15, 2023 Order. Mr. Eisenberg informed counsel that he would like to consult with his criminal defense attorney concerning this matter and that an additional two weeks would allow him either (a) to retain counsel in this case; or (b) to prepare to continue negotiations on the joint letter and the Proposed Civil Case Management Plan and Scheduling Order. Accordingly, Plaintiff SEC submits that good cause exists to grant this extension of time.

Letter to Hon. Lorna G. Schofield

February 27, 2023

Page 2

Plaintiff SEC hereby respectfully requests until March 15, 2023, at noon, to file on ECF the joint letter addressing the topics in the Court's February 15, 2023 Order and a joint Proposed Civil Case Management Plan and Scheduling Order. Plaintiff SEC also respectfully requests that the telephonic Initial Pretrial Conference be rescheduled to on or after March 22, 2023, at a date and time convenient to the Court.

Respectfully Submitted,

/s/ Alyssa A. Qualls

Alyssa A. Qualls
Attorney for Plaintiff
United States Securities and Exchange Commission

cc: Defendant Avraham Eisenberg